

A. STATE-AT-A-GLANCE

1)	Program Operation	State-administered
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	4 local DHS child support offices
3)	Type of Agencies with Cooperative Agreements	18 local district attorneys. 2 community action agencies
4)	Uniform Interstate Family Support Act	Yes
5)	Agreements With Tribal Entities	No
6)	Age of Majority for Termination of Support	18 or through age 18 if the child is still in high school. Emancipation age has changed over the years, however based on case law, the current age of emancipation applies even though the law may have been different when the order was entered.
7)	Statutes of Limitation:	
	<ul style="list-style-type: none"> Collection of Past Due Support 	There are a variety of opinions regarding this issue. They range from: (1) AFDC, which is considered a debt due the State - has no statute of limitations; (2) other opinions allow us to go back five years from 1982 (when the judgment by operation of law was enacted), and (3) others only allow us to go back 5 years. (Note: there is a bill active in our legislature to eliminate the statute of limitation on child support.) All referrals to Oklahoma to collect past-due support should address the full period of the order has been in effect.
	<ul style="list-style-type: none"> Paternity Establishment 	Any time before child's 18th birthday. The child may bring action any time before the age of 19.
	<ul style="list-style-type: none"> Dormancy Revival/Renewal Possible [yes/no] 	Yes.
8)	Guidelines	Income shares
9)	Interest Rates on	
	<ul style="list-style-type: none"> Missed Payments 	10% per year
	<ul style="list-style-type: none"> Retroactive Support 	10% per year - after order entered
	<ul style="list-style-type: none"> Adjudicated Arrearage 	10% per year
10)	Arrearage Collections for Non-minor Child(ren)	Yes
11)	Distribution Scheme	

• AFDC Arrears	First to current support (if multiple cases, pro rata by percentage of total current support due to the obligees), then to AFDC arrears, then to non-AFDC arrears, EXCEPT for state and federal tax offset funds, which are applied first to AFDC arrears.
• Non-AFDC Arrears	See AFDC arrears, above
12) Procedures Regarding Medical Support Using Income Withholding	No
13) New Hire Reporting	Yes - voluntary only
14) Recovery of Costs Elected Under State Plan	No
15) Recovery of Costs for Initiating State	Yes. Should include request in petition.
16) Long-Arm Statute/s Citation/s	43 O.S. Section 600-201 (UIFSA) 12 O.S. Section 187, 2004 (General) 10 O.S. Section 89 C (Paternity)
17) Automated Locate Resources	Drivers license, unemployment and wage data, credit bureaus, AFDC, food stamps and other assistance programs administered by Oklahoma Department of Human Services, workers' compensation court, Department of Corrections parole and state prison inmate data
18) Enforcement Options	
• State Income Tax Refund Intercept	Yes
• License Revocation/ Suspension	Yes. Drivers licenses and professional licenses
• Administrative Liens	No
• Property Seizure & Sale	Yes
• State Funds/Benefits (please specify)	Unemployment benefits, workers' compensation benefits
• Other (please specify)	
19) Spousal Maintenance Orders (specify yes or no)	
• Establish	No
• Enforce	Yes, when there is also a child support obligation

• Modify	No
20) Current Spouse/Partner Information Required	No

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1) State Code Citation	43 O.S. 600-100 through 600-901
2) Effective Date	September 1, 1994
3) Adopted Verbatim? If no, list differences.	Yes
4) Repeal URESA?	Yes
5) Repeal IWW?	No

C. INCOME WITHHOLDING

1) Income Withholding Terminology	Notice of Income Assignment for Payment of Child Support
2) Income Withholding Procedures	
• State Withholding Limits	Maximum for wages: 50% if obligor is supporting a family; 60% if obligor is not supporting a family. These percentages can increase to 55% and 60% respectively, if obligor is more than 12 weeks in arrears. Normally will not exceed 50% of disposable income.
• Fee Charged by Employers	\$5.00 per pay period
• Date to Remit	Effective with next payment of earnings. Remit within 10 days of withholding.
• Penalty	Total amount that should have been withheld plus a possible fine of \$200 for each failure to make required deduction.
3) Definition of Employer	“Payor” which includes employers means any person or entity paying monies, income or earnings to an obligor. In the case of a self-employed person, the “payor” and “obligor” may be the same person.
4) Included Income	“Income” or “earnings” means any form of payment to an individual regardless of source including, but not limited to, wages, salary, commission, compensation as an independent contractor, workers’ compensation benefits, disability, annuity, and retirement benefits, and any other payments made by any

	person, private entity, federal or state government, any unit of local government, school district, or any entity created by law.
5) Excluded Income	Exempt funds such as AFDC, SSI, etc.
6) Direct Income Withholding for Unemployment Compensation, include address	No. Employment security agency required to send funds withheld to Oklahoma Department of Human Services.
7) Direct Income for Workers' Compensation, include address	The State Insurance Fund has advised they will not accept notices received directly from other states for workers' compensation benefits paid by their agency. Private insurance companies paying workers' compensation benefits may honor these notices. Request to file liens against workers' compensation benefits when there is no existing case in Oklahoma should be made via transmittal to Oklahoma Central Registry.
8) Direct Income Withholding, other income sources subject to, include address	Refer to definition of "payor"
9) Direct Income Withholding, list Other Income Sources NOT subject to	Refer to definition of "payor"
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	Yes
12) Arrearages through Income Withholding	Yes
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	Yes, non-AFDC cases only
15) Multiple Obligations Withholding Priorities	
• Policy	Under development
• Priority	Income assignment for child support has priority over prior or subsequent garnishments of the same wages.
• Assistance	Oklahoma Central Registry. 405-522-2550
• Allocation	First to current support (if multiple cases, pro rate by percentage of total current support due to obligees), then to AFDC arrears, then to non-AFDC arrears, EXCEPT for state and federal tax offset funds, which are applied first to AFDC arrears

D. PATERNITY

1)	Interstate Paternity Procedures	If putative father does not acknowledge paternity and sign agreed order, order is issued to conduct genetic testing, after a show cause hearing
	Consent Orders Obtained	Yes
2)	Uniform Parentage Act	No
3)	Uniform Act on Blood Testing	No
4)	Parentage Order Available Without Order for Support	Yes
5)	Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	No, not by IV-D attorney
6)	Genetic Test Results as Presumption of Paternity	Yes
	Threshold	95%; conclusive at greater than 98%
7)	Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Conclusive, but can be contested for a period of two years after signing the statement. (There is current legislation to change the period of time to contest to 60 days.)
8)	Marriage as Presumption of Paternity	Yes
9)	Putative Father's Name on Birth Certificate, Effect of	Not a presumption unless an acknowledgment of paternity is obtained and filed with vital records
10)	Other Statutory Presumptions	Rebuttable presumptions: (1) child born within 10 months of divorce; (2) parents cohabited before child's birth and child born within 10 months after termination of cohabitation; (3) child is received in the home and openly held out as his natural child for a period of at least two years; (4) determination by US Immigration that person is the father at time of child's entry into the US and he had the opportunity at the time to admit or deny paternity. (10 O.S. Section 2)
11)	Recognition of Common Law Marriage	Yes; however, these cases are usually treated as paternity cases.
12)	Personal Appearance of Witness or Custodial Parent Required	May be. Refer to UIFSA, Section 316
	Acceptable Methods of Testimony	Refer to UIFSA, Section 316
13)	Long-Arm Statute	10 O.S. Section 89 C, 43 O.S. Section 601-201 (UIFSA) and, 12 O.S. Sections 187, 2004
14)	Assistance to Other States Using Their Long-Arm Statutes	

• Service of Process	Yes, sheriff for county where person requiring service resides. Also, contact Oklahoma Central Registry for information regarding which local child support offices have investigators that can serve process.
• Genetic Testing	Yes, contact Oklahoma Central Registry for information regarding nearest child support office
15) Recovery of Genetic Testing Costs for Other States	Yes, if requested

E. SUPPORT ORDER ESTABLISHMENT

1) Interstate Procedures	Handled same as local cases. Judicial or administrative process may be utilized to establish order for support
2) Income Considered for Setting Support	Parents' gross income/assets; income can be imputed for either parent in an amount a person with comparable education, training and experience could reasonably be expected to earn; minimum wage is imputed for custodial parent if (s)he is receiving AFDC; actual cost of providing health insurance and child care for the child; support alimony or child support actually being paid pursuant to an preexisting order for children not before the court.
3) Criteria for Rebuttal	Court can deviate if award would be inequitable, unreasonable under the circumstances, or not in the best interest of the child; a specific finding of fact supporting such an action must be made by the court; guidelines do not have to be followed where both parties represented by counsel have agreed to a different disposition.
4) Support Order for Prior Periods	Yes. 5 year limit for paternity establishment cases

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1) Enforcement for Non-Resident Family	Same as for in-state cases
2) Administrative Procedures and Remedies Available	Yes
3) Judicial Procedures and Remedies Available with	Yes. Registration not required for orders issued by court in Oklahoma

Registration	
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II. ENFORCING OTHER STATES' ORDERS

4) Administrative Procedures and Remedies Available Without Registration	Income withholding, tax offset, credit bureau reporting, liens. Registration recommended.
5) Judicial/Administrative Remedies with Registration	All available
6) UIFSA/URESA Registration and Enforcement Procedure	Orders may be registered through our administrative or judicial process for enforcement or modification and enforcement. Enforcement actions are usually done simultaneously with registration.
7) Judicial Procedures Required after Registration	Once registered, the order can be enforced in the same manner as an order issued by a court in Oklahoma.
8) Uniform Enforcement of Foreign Judgments Act Citation	12 O.S. 719 et seq.

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1) Jurisdiction Requirements	CEJ analysis under UIFSA
2) Modification Procedures	AFDC cases are reviewed on a three year cycle. Upon written request, reviews for Non AFDC cases may be conducted if they meet the following criteria: a review has not been conducted within the last 30 months, or the review has not been completed within the past 12 months and there has been a significant change of conditions since the date of the last review or adjustment; and the non-custodial parent is located; exception to 3 year cycle if NCP has employment related insurance, case is AFDC or Medicaid and order does not include provision for medical support.
3) Criteria for Modification	The amount of the support award must deviate from the existing award by an amount greater than or equal to 25%.
4) Criteria for Change of Circumstances	No clear definition other than not in compliance with the child support guidelines
5) Frequency With Which Reviews are Conducted	3 year cycle
6) Criteria for Review	See modification procedures given above.
7) Criteria for Adjustment	See modification criteria given above

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1)	Controlling Order	Refer to UIFSA for determining CEJ.
2)	Date of Controlling Order	Date registered or if contested, date established by the court
3)	If No Controlling Order	Arrears owed on all orders and prospective the highest order until entry of a new order
4)	Arrears Procedure	Registration of all orders for which arrears are owed

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each document	Certification required for each document *See below
Establishment of Paternity and Support	Refer to UIFSA		
Enforcement of Responding State's Order	(1) Interstate Child Support Enforcement Transmittal; (2) Copy of Order, (3) Affidavit of Payments,	(2) 1 (3) 3	(2) E (3) A
Modification of Responding States' Orders	(1) Interstate Child Support Enforcement Transmittal; (2) General Testimony or OK Modification Questionnaire	(2) 3	(2) A
Administrative Enforcement of Another States' Order	Refer to UIFSA		
Registration for Enforcement of Another States' Order	Refer to UIFSA		
Collection of Arrearages in Multiple Orders	(1) Interstate Child Support Enforcement Transmittal; (2) Certified copies of orders; (3) Affidavit of payments showing amount owed under each order and total owed for all orders; (4) Request to register all order for which an arrears is owed	(2) 3 - -1 cert.; (3) 3; (4) 3.	(2) C; (3) A; (4) A.
Uniform Enforcement of Foreign Judgments Act	(1) Interstate Child Support Enforcement Transmittal; (2) Certified copies of orders; (3) Affidavit of payments; (4) Request to register order	(2) 3 cert.; (3) 3; (4) 3.	(2) C; (3) A; (4) A.
Modification of Another State's Order	(1) Interstate Child Support Enforcement Transmittal; (2) Certified copies of orders; (3) Affidavit of payments; (4) Petition requesting registration for modification and enforcement; (5) General testimony	(2) 3 -- 1 cert.; (3) 3; (4) 3; (5) 3.	(2) C; (3) A; (4) A; (5) A.
Status Update on an Existing Interstate Case	Oklahoma IV-D number or Name and SSN of Custodial/non-Custodial parent		
Assistance/Discovery	What is needed to support requested action		
Quick Locate	Name and SSN; or, Name and DOB: or, Name and approximate age or other information to ensure match. Must identify as IV-D case.		

*A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	<p>Judi Johnson, Programs Supervisor</p> <p>CSED</p> <p>PO BOX 53552,</p> <p>Oklahoma City, OK 73152</p> <p>Phone: 405-522-2550</p> <p>Fax: 405-522-4570</p> <p>E-Mail: Judi.Johnson@Oklaosf..State.OK.US</p>
Central Registry	<p>Bobbye Sparks, Supervisor Central Registry</p> <p>CSED</p> <p>PO BOX 53552,</p> <p>Oklahoma City, OK 73152</p> <p>Phone: 405-522-2765</p> <p>Fax: 405-522-4570</p> <p>E-Mail: Bobbye.Sparks@Oklaosf..State.OK.US</p>
Interstate Policy Contact (if different)	<p>Judi Johnson</p> <p>Phone: 405-522-2550</p>
Contact for Information Regarding Your States Long Arm Statute and Process	<p>Judi Johnson</p> <p>Phone: 405-522-2550</p>
Contact for Information Regarding Collection and Distribution (State level)	<p>Judi Johnson</p> <p>Phone: 405-522-2550</p>
Contact to Obtain Payment Records	<p>Central Registry or local IV-D office (IV-D cases only); if non-IV-D and order states payments are made through Court Clerk,</p>

	contact Court clerk in county where order was issued
Contact to Obtain Copy of Order	Court Clerk in county where order was issued
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	
<ul style="list-style-type: none"> Service of Process (private process server? If so , list) 	Sheriff for county where person requiring service resides. Also, contact Central Registry for information regarding which local child support offices have investigators that can serve process
<ul style="list-style-type: none"> Genetic Testing (e.g. assistance with interstate teleconferencing) 	Contact Central Registry for information regarding nearest local child support office
New Hire Reporting Contact	Judi Johnson
Employer Assistance Contact	Judi Johnson
Telephone Number for Automated Interstate Case <i>Status</i> Requests (if any)	1-800-522-2922 (To leave a message.)
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	1-800-522-2922 (Access is by SSN of non-custodial parent or custodial person)
Privatization Contact	<p>Freddy McCroskey, Deputy Director</p> <p>CSED</p> <p>PO Box 53552</p> <p>Oklahoma City, OK 73152</p> <p>Phone: 405-522-2381</p> <p>Fax: 405-533-2753</p> <p>E-Mail: Freddy.McCroskey@Oklaofs.State.OK.US</p>